

Message Text

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SUBJECT: US/EC COMMISSION ENVIRONMENT CONSULTATIONS,JULY 14-16

REF: STATE 5776

1. SUMMARY: US-EC COMMISSION ENVIRONMENTAL CONSULTATIONS WERE HELD IN BRUSSELS JULY 12 AND 13 AND INCLUDED EXCHANGES OF TECHNICAL INFORMATION,A STATUS REPORT ON US AND EC ENVIRONMENT PROGRAMS AND DISCUSSION OF ALL AGENDA ITEMS PER REFTEL
END SUMMARY.

2. THE US SIDE WAS LED BY LINDSEY GRANT (STATE) AND INCLUDED JACK THOMPSON (EPA)PAUL GLASOE (STATE) ELIZABETH VOTSWORTH (EPA), FOREST ABBUHL(COMMERCE), AND GERARD BERTRAND (CEQ). THE EC COMMISSION DELEGATION WAS LED BY CARPENTIER,DIRECTOR OF THE EC ENVIRONMENT AND CONSUMER PROTECTION SERVICE (EP ECPS) AND INCLUDED DIVISION CHIEFS JOHNSON (POLLUTION), MANDL (WATER) AND ZITO (INTERNATIONAL AFFAIRS),AS WELL AS BOUDREAU AND BERLIN (RESEARCH).

3.IN THE OPENING REMARKS US AND EC PARTICIPANTS AGREED ON THE IMPORTANCE OF THE CONSULTATIONS AS A MEANS OF TECHNICAL
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EXCHANGE OF INFORMATION AND AS A FORUM FOR EARLY POLICY LEVEL

AND PHILOSOPHICAL DISCUSSIONS ON OUR RESPECTIVE ENVIRONMENTAL PROGRAMS. TO AVOID THE SCHEDULING PROBLEMS WHICH OCCURRED WHEN SETTING UP THIS MEETING IT WAS FELT THAT A STRONGER COMMITMENT WAS NEEDED BY BOTH SIDES TO NAIL DOWN AS EARLY AS POSSIBLE THE DATES AND AGENDA ITEMS FOR THE NEXT MEETING.

4. THE EC ECPS IS PREPARING A SUMMARY REPORT ON THE MEETING WHICH WILL INCLUDE THE DETAILS ON TECHNICAL DISCUSSIONS AND MISSION WILL POUCH THE REPORT TO THE DEPARTMENT (ATTENTION GLASOE) AND TO EPA (ATTENTION COTSWORTH).

5. US AND EC PARTICIPANTS BEGAN THE DISCUSSION OF AGENDA ITEMS BY OUTLINING THEIR WATER PROTECTION PROGRAMS. THE PRIME ELEMENTS IN THE EC EFFORT TO COMBAT POLLUTION IN DRINKING WATER AND SEA WATER IS A DIRECTIVE NOW BEING COMPLETED IN THE EC COMMISSION FOR PROPOSAL TO THE COUNCIL OF MINISTERS. THIS PROPOSAL WILL SET EMISSION NORMS FOR THE DISCHARGE TYEIN TOXIC SUBSTANCESIN THE WATER ENVIRONMENT. THESE POLLUTANTS QRE GROUPED IN A "BLACK" OR PRIORITY LIST (EG. MERCURY,CADMIUM,AND ORGANOPHORIC COMPOUNDS) AND A "GREY" OR LESS DANGEROUS SUBSTANCES LIST (E.G. METALS,BIOCIDES, CYANIDES,FLUORIDES). THOUGH THE PROGRAM PROPOSES EMISSION STANDARDS AS THE BASIS OF THE SYSTEM,IT DOES PERMIT THE USE OF QUALITY OBJECTIVES IN EXCEPTIONAL CASES.FOR A FIVE YEAR PERIOD ANY EC MEMBER STATE WILL BE ABLE TO OPT FOR QUALITY OBJECTIVES IF IT CAN PROVE TO THE SATISFACTION OF THE EC COMMISSION THAT SUCH METHODS PRODUCE THE SAME DEGREE OF POLLUTION CONTROL AS DO EMISSION NORMS IN OTHER MEMBER STATES. ACTUAL IMPLEMENTATION OF THE PROGRAM WILL BE DELAYED UNTIL 1980 DUE TO THE TIME NEEDED FOR REQUISITE RESEARCH AND FOR MEMBER STATES TO ADOPT THEIR NATIONAL LEGISLATION.

6. AAL TECHNICAL AND RESEARCH ITEMS ON THE AGENDA WERE DISCUSSED.MAJOR HIGHLIGHTS OF TECHNICAL EXCHANGES INCLUDED STATUS REPORTS ON THE EPIDEMIOLOGICAL AND ISOTOPIC LEAD STUDIES AND AN EC SUGGESTION THAT EPA REPEAT THESE SURVEYS IN THE U.S. THE EC STAFF WAS PLEASED WITH THE EPA'S REMOTE SENSING PRESENTATION AND INVITED DR.HERGET TO PARTICIPATE IN A REMOTE SENSING WORKSHOP TO TAKE PLACE IN THE UK THIS OCTOBER. THE EC ALSO SUGGESTED COLLOBORATION WITH EPA ON ITS "QUALITY UNCLASSIFIED

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ASSURANCE PROGRAM" AND US PARTICIPATION IN THE EC'S STUDY ON THE EFFECTS OF NOISE ON SLEEP.

7. ON SUBJECT OF ENDAGERED SPECIES THE US SIDE EXPRESSED THE STRONG HOPE THAT THE EC AND ALL MEMBER STATES WOULD RATIFY THE WASHINGTON CONVENTION.WE URGED AS FULL A REPRESENTATION AS POSSIBLE AT THE NOVEMBER MEETING IN BERN, EVEN IF ONLY AS OBSERVERS. THE EC COMMISSION RESPONDED POSITIVELY

AND STATED THEY VERY MUCH WANTED TO HAVE THE COMMUNITY AS SUCH BECOME A PARTY TO THE CONVENTION. THEY EXPECTED THAT THE COMMISSION WOULD BE PRESENT IN BERN ALONG WITH ALL NINE MEMBER STATES NEXT NOVEMBER. THE COMMISSION EXPLAINED THAT IT WAS HAVING A SLIGHT LEGAL PROBLEM WITH SWITZERLAND, CONCERNING THE MECHANICS OF ACCESSION TO THE CONVENTION, WHICH CARPENTIER DOWNPLAYED, BUT HE EXPRESSED INTEREST IN ANY SUPPORT THE US COULD GIVE. (IT SEEMS SWITZERLAND IS RELUCTANT TO ACCEPT ACCESSION OF THE EC AS A "STATE" IN THE MEANING OF ARTICLE 1 (H) OF THE CONVENTION.) THE COMMISSION ALSO RESPONDED POSITIVELY TO OUR SUGGESTION THAT MANAGEMENT AUTHORITIES SHOULD ESTABLISH CONTACTS SO AS TO FACILITATE EVENTUAL IMPLEMENTATION OF THE CONVENTION. AS EVIDENCE OF THE EC'S INTEREST IN THE GENERAL SUBJECT CARPENTIER SUGGESTED THAT WE PLAN TO PLACE ENDANGERED SPECIES ON THE AGENDA OF OUR NEXT MEETING.

8. IN THE EXCHANGE OF INFORMATION ON THE POLLUTER PAYS PRINCIPLE, AGREED AT LAST YEAR'S SESSION, THE EC MADE A SMALLER CONTRIBUTION THAN WE HAD HOPED. THE US SIDE ORALLY PRESENTED SOME FAIRLY DETAILED MATERIAL ON STATE ASSISTANCE PROGRAMS, AND SAID WE WERE CONTEMPLATING NOTIFICATION TO THE OECD ON THIS POINT IN OCTOBER (TO FOLLOW OUR PREVIOUS NOTIFICATION ON FEDERAL PROGRAMS). THE COMMISSION PROFESSED A LOW KEY CONCERN ABOUT THE MAGNITUDE AND SCOPE OF THESE INDIRECT ASSISTANCE PROGRAMS BUT AT THE SAME TIME PRESENTED NO INFORMATION ON ANY OF ITS MEMBER STATES' PROGRAMS AT OUR URGING IT DID, HOWEVER, PROMISE TO THE MEMBER STATES TO NOTIFY THE US INFORMALLY, OR THE OECD FORMALLY, CONCERNING ANY FINANCIAL PROGRAMS THEY MIGHT HAVE IN EFFECT OR BE PLANNING. THE COMMISSION EXPRESSED A SERIOUS INTEREST IN PURSUING EITHER IN THE OECD OR BILATERALLY TWO OTHER QUESTIONS: 1) HOW ONE DEFINES IN AN EFFECTIVELY LIMITING WAY THE CONCEPT OF "EXCEPTIONAL CIRCUMSTANCES" IN THE PPP AND 2) HOW ONE COUNTER-

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ACTS THE TREND THE COMMISSION SEES IN THE OECD TOWARD CONDONING AID TO NEW PLANTS WE VOICED A SHARED CONCERN ABOUT BOTH POINTS.

9. MARCH 21-23 WERE PROPOSED AS DATES FOR THE NEXT ENVIRONMENT CONSULTATIONS THIS WOULD FOLLOW THE UN WATER CONFERENCE TO BE HELD MAY 7-18 IN ARGENTINA. THE FOLLOWING AGENDA ITEMS WERE SUGGESTED:

1. HEATL EFFECTS AND REGISTRATION OF PESTICIDES
 2. NEW CHEMICAL SUBSTANCES
 3. ENDANGERED SPECIES
 4. WATER POLLUTION
 5. STATUS REPORTS
- INTERCOMPARISON PROGRAMS
 - EPIDEMIOLOGICAL STUDY

- ISOTOPIC LEAD

- EFFECTS OF NOISE ON SLEEP

6. ENVIRONMENTAL IMPACT STATEMENTS

- LEGAL IMPLICATIONS INCLUDING STANDING TO SUE AND
RIGHTS OF ASSOCIATION.

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